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9 **BEFORE THE**  
10 **BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2008-171

13 **STEPHANY KATHAL SCAMMAHORN,**  
14 **AKA STEPHANY KATHAL BALES**  
**SCAMMAHORN**  
14905 Salem Creek  
15 Edmond, OK 73013

**A C C U S A T I O N**

16 Registered Nurse License No. 635013

17 Respondent.  
18

19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
23 ("Board"), Department of Consumer Affairs.

24 2. On or about March 24, 2004, the Board issued Registered Nurse License  
25 Number 635013 to Stephany Kathal Scammahorn, also known as Stephany Kathal Bales  
26 Scammahorn ("Respondent"). The registered nurse license expired on May 31, 2005, and has not  
27 been renewed.

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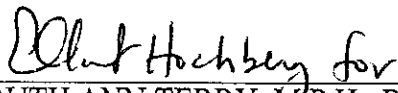
1 of *Stephany Kathal Bales Scammahorn, R.N., License No. L004493 and R0075313* (attached  
2 hereto as **Exhibit A**), effective November 15, 2006, the Oklahoma State Board of Nursing  
3 revoked Respondent's Oklahoma Registered Nurse License No. R0075313 for a period of two  
4 years for failure to successfully complete the Peer Assistance Program of the Oklahoma Board of  
5 Nursing.

6 **PRAYER**

7 **WHEREFORE**, Complainant requests that a hearing be held on the matters  
8 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 9 1. Revoking or suspending Registered Nurse License Number 635013, issued  
10 to Stephany Kathal Scammahorn, also known as Stephany Kathal Bales Scammahorn;  
11 2. Ordering Stephany Kathal Scammahorn, also known as Stephany Kathal  
12 Bales Scammahorn, to pay the Board of Registered Nursing the reasonable costs of the  
13 investigation and enforcement of this case, pursuant to Code section 125.3; and,  
14 3. Taking such other and further action as deemed necessary and proper.

15 DATED: 11/19/07

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17   
18 RUTH ANN TERRY, M.P.H., R.N.  
19 Executive Officer  
20 Board of Registered Nursing  
21 Department of Consumer Affairs  
22 State of California  
23 Complainant

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03579110-SA2007101179  
Scammahorn.Acc.wpd  
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**EXHIBIT A**  
**Oklahoma Board of Nursing**  
**Stipulation, Settlement and Order**

**BEFORE THE OKLAHOMA BOARD OF NURSING**

IN THE MATTER OF STEPHANY KATHAL BALES SCAMMAHORN, R.N. (RESPONDENT)  
LICENSE NO. L0044993 (LAPSED)  
LICENSE NO. R0075313

**STIPULATION, SETTLEMENT AND ORDER**

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 31st day of October, 2006, in the Conference Room of the Board Office, 2915 North Classen Boulevard, Suite 524, Oklahoma City, Oklahoma.

Respondent appears neither in person nor by counsel.

**STIPULATION**

Respondent and the Panel hereby stipulate and agree to the following joint stipulation and proposed Order of the Board incorporating this stipulation and agreement in the above-styled matter.

1. Respondent's license to practice licensed practical nursing, License No. L0044993, lapsed May 1, 2003.
2. Respondent is licensed to practice registered nursing in the State of Oklahoma, and is the holder of License No. R0075313, issued by the Oklahoma Board of Nursing.
3. On or about April 30, 2006, while employed with McBride Clinic Orthopedic Hospital, Oklahoma City, Oklahoma, Respondent admits to diverting Controlled Dangerous Substances.
4. Respondent admits to having a problem with controlled dangerous substances.
5. Respondent has requested a referral to the Peer Assistance Program.
6. No formal complaint has been filed as of the date of this stipulation charging

Respondent with a violation of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent understands that by signing and agreeing to this stipulation Respondent is waiving those rights.

7. This stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this stipulation. Furthermore, should this joint stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

8. Respondent fully understands that this joint stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this stipulation.

9. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said stipulation.

10. It is expressly understood that this stipulation is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

## STIPULATED DISPOSITION

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that Respondent is referred to the Peer Assistance Program of the Oklahoma Board of Nursing on the following terms and conditions:

1. Respondent's license to practice registered nursing is hereby temporarily suspended as of the date of this Order, which temporary suspension shall be set aside provided Respondent provides documentation, satisfactory to the Board, of Respondent's acceptance into the Peer Assistance Program by **January 25, 2007**.

2. If Respondent is not accepted into the Peer Assistance Program on or before **January 25, 2007**, or having been accepted is terminated from the Program for any reason other than successful completion of Respondent's contract and treatment plan, Respondent's license is hereby revoked for a period of two (2) years.

3. In the event Respondent's license is revoked as provided herein, any application to reinstate Respondent's license shall not be considered by the Board until Respondent presents evidence satisfactory to the Board of compliance with the Board's Guidelines For Individuals Requesting Reinstatement After Suspension, Surrender Or Revocation For Misappropriation Or Misuse Of Drugs/Alcohol, a copy of which is attached hereto and made a part hereof.

4. In the event Respondent's license is revoked as provided herein, Respondent shall pay an administrative penalty payable to the Oklahoma Board of Nursing in the amount of Five Hundred Dollars (\$500.00). The administrative penalty shall be paid only by certified check, money order or cash. Any Application to Reinstate Respondent's license will not be considered until the administrative penalty is paid in full.

5. Upon Reinstatement, Respondent's license will be immediately placed in temporary suspension pending readmission to the Peer Assistance Program. Respondent shall provide documentation, satisfactory to the Board, of Respondent's acceptance into the Peer Assistance Program within sixty (60) days of reinstatement.

6. If Respondent, having been accepted, is terminated from the Program for any reason other than successful completion of Respondent's contract and treatment plan, Respondent's license is hereby revoked for a period of five (5) years.

7. In the event Respondent's license is revoked as provided herein, any application to reinstate Respondent's license shall not be considered by the Board until Respondent presents evidence satisfactory to the Board of compliance with the Board's Guidelines For Individuals Requesting Reinstatement After Suspension, Surrender Or Revocation For Misappropriation Or Misuse Of Drugs/Alcohol, a copy of which is attached hereto and made a part hereof.

8. In the event Respondent's license is revoked as provided herein, Respondent shall pay an administrative penalty payable to the Oklahoma Board of Nursing in the amount of Five Hundred Dollars (\$500.00). The administrative penalty shall be paid only by certified check, money order or cash. Any Application to Reinstate Respondent's license will not be considered until the administrative penalty is paid in full.

9. The parties agree that both (all) parties have participated in the drafting of this Stipulation, Settlement and Order and that no presumption or construction against any party as the drafter of this **Stipulation, Settlement and Order**, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

10. This stipulation shall not be effective until the fully executed Order is received



in the Board office.

11. Upon successful completion by Respondent of Respondent's Contract, Amended Contract(s), and treatment plan with the Peer Assistance Program, no further Order of the Board shall be deemed necessary.


12. This Order may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

  
Respondent

Approved and ordered this 15<sup>th</sup> day of November, 2006.

OKLAHOMA BOARD OF NURSING

By:

  
President

JS:sr